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15CV10840
JUDGE DOW JR
MAG. JUDGE FINNEGAN

**UNITED STATES DISTRICT COURT
OR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Jean A. Montgomery
Plaintiff

v.

Charles Schilla Association Law Firm for
{NAPS} National Association of Postal Supervisors.
And National Association of Postal Supervisors
{NAPS} National Association of Postal Supervisors
1740 King Street, Alexandria Va. 22314

Defendant[s]

COMPLAINT FOR VIOLATION OF CONSTITUTIONAL RIGHTS

1. This is a claim for violation of plaintiff civil rights as protected by the Constitutional and laws of the United States under 42 U.S.C. §§1983,1985, and 1986

JURISDICTIONAL BASIS

2. The Court has jurisdiction under 28 U.S. C. §§ 1343 and 1367

PARTIES

3. Plaintiff, Jean A. Montgomery is a natural person residing at 426 South Austin, Oak Park Illinois, 60304.
4. Defendant is the National Association of Postal Supervisors at 1727 King St #400 Alexandria, Va. 22314. Charles Schilla and Association.

STATEMENT OF THE CASE

On January 16, 2013, Plaintiff was denied fair representation from {NAPS} Schilla and Association Law firm who provided an individual who had was not an attorney to represent her in the Federal MSPB Court.

Plaintiff was employed for the United States Postal Service for forty-four years and ten months, when she was unwarranted and unjustified removed from her positions on November 15, 2011.

Petitioner beginning notifying postal officials and Office of Inspector General in 2009, of postal leader's improprieties that includes falsification, fraud, EAS gets paid for not working, abuse of postal vehicles, improper hiring, nepotism, abuse and misuse of authorities' abuse and misuse of NAPS fund by labor manager in other individuals,

outrageous and overwhelming hiring of families members, friend etc. employee paid for ghost positions, employees getting paid for positions not worked, employees getting paid work time while not at work, nepotism and favoritism, improper promotions, stacking salaries, falsification of scanning and falsification of time records.

On 10/3/12 Charles Schilla, Association the law firm who is known as the firm that represents Postal supervisors signed the appellant and agency information sheet ,to represent petitioner, for the for the agency action or decision dated on Sept 8, 2012 .

On January 16, 2013, plaintiff appears in the {MSPB}, court. An individual from Pennsylvania name William Simpson, appears in the MSPB court, crossed and direct examine wittiness without certification from any bar association.

Notification was made to the Administrative Judge, the MSPB Board, NAPS executive's officials, and the Appellate Board of a non-lawyer/attorney, William Simpson, in a MSPB Court directing and Cross examine wittiness without certification from a bar.

January 16, 2013 transcript confirmed William Simpson cross examining and direct examines wittiness in the MSPB Court, with the transcript confirming the agency attorney had beforehand knowledge.

PRAYER FOR RELIEF:

1. That plaintiff is paid all funds paid into NAPS organization beginning from 1982 until she was unjustified removed on 01/09/2014.
2. That outsides independent audits from be completed on NAPS Branch 14, beginning in 2009 with all individuals who abused and misused membership funds be held responsible and punished to the highest penalty provided by the law.
3. That the Justice Department, investigate the long standing wrong doing in the Chicago Postal Service and NAPS Branch 14 membership funds.
4. That plaintiff be paid for all time lost for wages and benefits from November 11, 2011, when fair representation was denied by {NAPS} National Association of Postal Supervisors, represented by Schilla Association law firm, when a non-attorney, William Simpson was in a MSPB Federal Court Room directing and Cross examine wittiness without certification from the bar.
5. That damaged be awarded as judge see fit for punitive damages.



Jean A. Montgomery
426 South Austin
Oak Park, Illinois 60304
jeanmontgomery1@gmail.com



Jean Montgomery <jeanmontgomery1@gmail.com>

Thank you for contacting us to Blow the Whistle on Fraud.

2 messages

Whistleblowers Against Fraud <blowthewhistle@whistleblowersagainstfraud.com>

Sat, Jan 14, 2012 at
1:42 PM

To: jeanmontgomery1@gmail.com

Thank You

Thank you for contacting us to Blow the Whistle on Fraud.

Whistleblowers Against Fraud carefully reviews all inquiries and follows-up on all appropriate information. Due to the sheer volume of inquiries we receive, we cannot contact everyone, however we do diligently review all information received.

In the event that your information is of interest to us, we will contact you within 7 to 10 days to further explore the potential for our working together.

Thank you again for contacting us.

Whistleblowers Against Fraud

Name:	jean a montgomery
Phone Number:	708-296-6466
E-mail Address:	jeanmontgomery1@gmail.com
Regarding what type of fraud do you have whistleblower information?	NAPS National Assosiation of Postal Supervisors branch 14 officers misusing membership funds for several years
Company or person who committed the fraud?	NAPS national asosiation of postal supervisors BRANCH 14, OFFICERS, CHICAGO ILL.
What is your best estimate of the amount of the fraud committed?	over the past years, I am sure it far exceeds hundreded of thousand of dollars
State(s) in which the fraud occurred?	Chicago, Il
In what year did the fraud occur? Is it ongoing?	Beginning several years ago and it is ongoing. membership meeting, National and stafe officers has been well informed and offers suggestions on how to correct behaviors, all to no avail.
Do you have any documents supporting your claim of fraud on the government?	Yes I can verefiy that fund was misused when I was a delegate in 2009, extra fund was given to me , and no receipt were ever requires. Been seeking for members to get treasury reports from 2009 that has not taken place, In additional I have membership royster that validated the amount of funds the local take in quarterly, I have the only audit report that was submitted in the last ten years, it was submitted in 2009, after the membership petition to see a treasury and audit report, it appear to be just as corrupted as the local officers. All off the previous election has been fixed. Have other documents and correspondence from the National whereas they were informed of the corruption. Have membership petition report for a treasury report. and countless members has verbal stated they do not submit receipts for their spendinf, and non-members as well has

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P 1 A 2

been given membership funds to travel, I room with a non-member who the paid dues funds. This was taken to the membership meeting and countless motion has been place on the floor to see a detail treasury report. After members began to report to the meeting in large number, the offices change the meeting location to the other side of town without notification to the members.

What is your relationship to the person or entity who committed the fraud?

I am a dues paying member of NAPS for twenty-five years

Once we have reviewed the above information how would you prefer we contact you?

email, jeanmontgomery1@gmail.com

Have you filed a false claims case or any other lawsuit related to the information you are providing? If yes, what's the status of that lawsuit?

No,

Have you been interviewed by an member of the U.S. government related to the information you are providing? If yes, then by whom?

No

How did you hear about us?

searching the internet

The information contained in this transmission was submitted on www.WhistleblowersAgainstFraud.com, and has not been reviewed for accuracy. The representations and accuracy of the statements herein are solely the responsibility of the person submitting the form. If the reader of this message is not the intended recipient, please notify us immediately by replying to the message and deleting it from your computer.

Whistleblowers Against Fraud

<blowthewhistle@whistleblowersagainstfraud.com>

To: jeanmontgomery1@gmail.com

Sat, Jan 14, 2012 at 1:44 PM

[Quoted text hidden]

Exhibit
3A
pg. 2 of 2

PART 1—Appellant and Agency Information (continued)

HEARING: You may have a right to a hearing before an administrative judge. If you choose to have a hearing, the Board will notify you when and where it is to be held. If you do not want a hearing, the Board will make its decision on the basis of the submissions of the parties.

11 Do you want a hearing? ☒ Yes ☐ No

12 I certify that all of the statements made in this form and any attachments are true, complete, and correct to the best of my knowledge and belief.

Signature of Appellant or Representative:

Date: 10/3/12

Charles Keith Keith Carr.

PART 2—Agency Personnel Action or Decision (non-retirement)

Complete this part if you are appealing an agency personnel action or decision (other than a decision or action affecting your retirement rights or benefits) that is appealable to the Board under a law, rule, or regulation. See 5 C.F.R. 1201.3 (a) for a list of appealable personnel actions and decisions. If the personnel action or decision is appealable to the Board, you should have received a final decision letter from the agency that informs you of your right to file an appeal with the Board.

13 Check the box that best describes the agency personnel action or decision you are appealing. (If you are appealing more than one action or decision, check each box that applies.) Attach a copy of the proposal letter and decision letter (if any). If an SF-50 or its equivalent was issued and is available, attach it now, however, DO NOT delay filing your appeal because you do not have an SF-50. You may submit the SF-50 when it becomes available.

- ☒ Removal ☐ Reduction in grade or pay ☐ Suspension for more than 14 days
- ☐ Separation, demotion, or furlough for more than 30 days by reduction in force (RIF)
- ☐ Furlough of 30 days or less ☐ Termination during probationary period
- ☐ Failure to restore/reemploy/reinstate or improper restoration/reemployment/reinstatement
- ☐ Negative suitability determination ☐ Denial of within-grade increase
- ☐ Other action, describe

14 Date you received the agency's proposal letter (if any) (month, day, year)
(Attach a copy):

MAY 19, 2012

15 Date you received the agency's final decision letter (if any) (month, day, year)
(Attach a copy):

SEPT 28, 2012

16 Effective date (if any) of the agency action or decision (month, day, year)

SEPT 8, 2012

17. Prior to filing this appeal, did you and the agency mutually agree in writing to try to resolve the matter through an alternative dispute resolution (ADR) process?

☒ Yes (Attach a copy of the agreement)

☐ No

EXHIBIT-3

Gmail

Time

Jean Montgomery <jeanmontgomery1@gmail.com>
To: "Ostergren, Steven" <sostergren@uspsoig.gov>

Wed, Mar 21, 2012 at 10:22 AM

Hello Steve,

I reserved two time spots, one is for Monday from 3-5pm, and one for Tuesday at 9-10:30am. If these times are not good, give me a call and I will make the changes. I am going to send you some more names of individuals and a brief explanation of the possible connection later on today.

Jean

Ostergren, Steven <sostergren@uspsoig.gov>
To: Jean Montgomery <jeanmontgomery1@gmail.com>

Wed, Mar 21, 2012 at 3:02 PM

Jean,

Lets plan for Monday, 3-5. I may not get there until about 4 p.m. as my flight does not get into Chicago until 3:15.

Please give me the full address of the location where we will meet.

From: Jean Montgomery [mailto:jeanmontgomery1@gmail.com]
Sent: Wednesday, March 21, 2012 11:23 AM
To: Ostergren, Steven
Subject: Time

Hello Steve,

I reserved two time spots, one is for Monday from 3-5pm, and one for Tuesday at 9-10:30am. If these times are not good, give me a call and I will make the changes. I am going to send you some more names of individuals and a brief explanation of the possible connection later on today.

Jean

Jean Montgomery <jeanmontgomery1@gmail.com>
To: "Ostergren, Steven" <sostergren@uspsoig.gov>

Wed, Mar 21, 2012 at 3:40 PM

Case: 1:13-cv-07 Document #: 1 Filed: 10/04/13 Page 78 of 78 PageID #:34

From: Montgomery, Jean A - Chicago, IL
Sent: Friday, October 16, 2009 11:56 AM
To: Stuller, Steven - OIG
Subject: RE: Info
Yes, I will be available.

Jean A. Montgomery
Englewood Postal Station 60621-9998
611 W. 63rd Street
Chicago, Ill. 60621-9998

From: Stuller, Steven - OIG
Sent: Tuesday, October 13, 2009 12:57 PM
To: Montgomery, Jean A - Chicago, IL
Subject: RE: Info

Thanks for the info. I'm looking at coming out to conduct interviews the week of Oct 26th. Will you be available to meet with me that week?

Steven Stuller, Special Agent
U.S. Postal Service Office of Inspector General
Special Inquiries Division
1735 North Lynn Street
Arlington, VA 22209
Office: 703.248.2276
Fax: 703.248.4653
Cell: 703.371.2323
E-mail: ssuller@uspsoig.gov

From: Montgomery, Jean A - Chicago, IL [mailto:jean.a.montgomery@usps.gov]
Sent: Friday, October 09, 2009 5:58 PM
To: Stuller, Steven
Subject: Info

<< File: Name Form 50 Assignment location working++.doc >>

EXHIBIT - II
Page 1 of 4

CERTIFICATE OF SERVICE

I certify that the attached Document(s) was (were) sent as indicated this day to each of the following:

Appellant

U.S. Mail Jean A. Montgomery
 426 South Austin
 Oak Park, IL 60304

Appellant Representative

U.S. Mail William Simpson
 Scialla Associates, Inc.
 1219 Stanwood Street
 Philadelphia, PA 19111

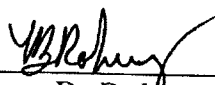
Agency Representative

Electronic Mail Maryl R. Rosen, Esq.
 United States Postal Service
 Law Department-7th Floor
 433 W. Harrison Street
 Chicago, IL 60699-7000

Court Reporter

U.S. Mail Penny Le Grand
 LeGrand Services
 333 W. Irving Park Road
 Suite 331
 Roselle, IL 60172

November 5, 2012
(Date)


Yvonne B. Robery
Paralegal Specialist

Gmail - EXTREMELY IMPORTANT FOR TED

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Jean Montgomery <jeanmontgomery1@gmail.com>

EXTREMELY IMPORTANT FOR TED

2 messages

Jean Montgomery <jeanmontgomery1@gmail.com>

Tue, Sep 22, 2009 at 7:54 PM

To: napshq@naps.org

Cc: "NAPSCRVP@aol.com" <napscrvp@aol.com>, "n.wesley@att.net" <n.wesley@att.net>, "Ptscsr@aol.com" <ptscsr@aol.com>

Bcc: Jean Montgomery <jeanmontgomery1@gmail.com>

9/21/2009

To: Ted Keating
National President NAPS
National Headquarters

Your immediate attention to the affairs of Branch 14 is requested. The state of affairs and circumstances here in Chicago cannot be sufficiently resolved without the intervention of our State and National leaders.

The members are exceedingly apprehensive and request that the attached signatures be sent to you. The original copies of these email attachments are sent to you via Certified Mailing.

The membership is aware of the practices and procedures that the State and the National must follow in regard to local affairs. Branch 14 members cannot find relief in the rationalization that National and State do not get involved in Local affairs.

We the members of branch 14 consider that at some point you must intervene for the good of the local. It's our firm belief that until your involvement is made known and your leadership direction is acknowledged the unwavering concerns of this local will only increase and at a rapid tempo.

We the members have a great enthusiasm and allegiance to this association. Our faith, reliance, and loyalty are persistent and steadfast. Therefore, we the branch 14 members are pleading for your participation in these local concerns.

4-07-5

Gmail - Unauthorized delegates

Page 1 of 1



Jean Montgomery <jeanmontgomery1@gmail.com>

Unauthorized delegates

1 message

Jean Montgomery <jeanmontgomery1@gmail.com>

Sun, Nov 15, 2015 at 5:43 PM

To: Louis Atkins <NAPS.la@naps.org>, James Killackey <NAPS.jk@naps.org>, "n.wesley@net.com" <n.wesley@net.com>

To The National Officers:

This is again to inform you that there are delegates in branch 14 at your conventional who has never paid dues while working in the postal service:

Michael Singleton, a delegate and serving as an officer on branch 14, retired in 2009 and never was a member of branch 14, Annete Joseph retired in 2010, and never was a member of branch 14. In addition to the two listed individuals, there are more individuals who do not meet the qualification to be a delegate.

The NAPS organization did not provide me with adequate representation, but nevertheless are permitting abuse and misuse of organization funds for individuals who have never paid dues while working in the postal service to travel and make decisions of members who have non-stop supported the NAPS organization.

I paid dues for more than 32 years, and were not afforded competent and adequate representation of a lawyer, that is unacceptable. This is a request for the organization to refund all 32 years of my dues and \$25,000 dollars for harm and damage for failure to represent.

5-4-5



United States Postal Service
Office of Inspector General
1735 N. Lynn Street
Arlington, VA 22209

HOTLINE INFORMATION REPORT

DATE: 04/16/2012

SUBJECT: Financial Fraud: Postal Retail
Unit/Segmented Inventory Accountability
(SIA)

PREPARED BY: Analyst 27

LOCATION: Oak Park, IL 60302

APPROVED BY:

REFERRAL: Investigations

PARIS NUMBER: 120416HAL029

RELATED CASES: See Below

A search of the Hotline database revealed the following related files.

Hotline Case No.	Allegation	Referral
111220HAL037	Misconduct – Time and Attendance Fraud	OI
111216HAL025	Reprisal/Retaliation – Other	
111213HAL002	Nepotism: Hiring	WPE
111208HAL023	Misconduct – Falsification of Mail Counts, Express/Delivery Confirmation/MSP/PO Box Up Time/ Misconduct – Time and Attendance Fraud	OI
090925HAL012	Postal Executives – An allegation involving a PCES employee/ Misconduct – Time and Attendance Fraud	SID
070731VFO070	Misconduct – Other	OI
060828VFO013	Other – Any other allegation not covered by this list	OI

COMPLAINANT:

Jean Montgomery

SUBJECT:

(b)(7)(C)

RECOMMENDATION: This case should be referred to Investigations for action.

EXHIBIT- B

ATTACHMENT

Ms

Page 1 of 2

From: Montgomery, Jean A - Chicago, IL
Sent: Wednesday, June 11, 2008 5:10 PM
To: Tyson, Gloria E - Chicago, IL
Cc: Feindt, Jo Ann - Bloomingdale, IL; Bruce, Joseph R - Washington, DC; Wagner, Brian J - Peoria, IL
Subject: Tyson

Attachments: Customer Service Variance Menu.htm
Ms. Tyson,

The assignment of reviewing the station Mail handlers will soon end. It was both an educational and a great experience for me. As well, it indicated to me that leadership is in a downward spiral. Since October 2006 I have been tasked with the most unflavored of assignments which included: traveling from all parts of the city North, South, East and West. I have walked countless numbers of routes; sat endless time in an office on the 7th floor, and taking pictures of collection boxes across the city as well as other mundane jobs.

However within these assignments I have witnessed some most unusual circumstances, extremely low mail volumes, but the most astounding by far is the excessive amount of clerk staffing at Loop Station. Loop Station has an earned complement of 70 clerks; however it is unbelievable and unreal that there are 126 Clerks on rolls at that facility. (See attached complement report). In addition Finance station E, a sub finance station of Loop Station has three terminals and an earned complement of 5 employees; however there are 11 clerks on roll at Station E office, and this office is completely closed on Saturday and Sunday.

Allow me to inform you again, that my skills and abilities over the past 38 years in Chicago has prepared me to be the best POOM for this city: who is ready on **DAY ONE**, and can as well fit in with your **NEW CULTURE**.

I have sent other emails to you in the past without ever receiving an acknowledgement of your receipts. Therefore in hope of receiving an acknowledgement I am sending a cc copy to JoAnn Fiendt of whom I always receive an acknowledgement of receipt.

Remember I am ready, I am willing, and I am qualified, for POOM position.

Thanks,

Jean

CC: Ted Keating National President NAPS
Nancy Wesley NAPS representative
Charles May

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